

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

BENTON COUNTY

IN THE MATTER OF THE APPLICATION OF)  
ELIZABETH BOND STARKER FOR APPROVAL)  
OF A CHANGE IN POINT OF DIVERSION )  
OF WATER )

ORDER APPROVING  
TRANSFER NO. 4562

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On July 11, 1980, an application was filed in the office of the Water Resources Director by Elizabeth Bond Starker for approval of a change in point of diversion of water from North Fork Alsea River, pursuant to the provisions of ORS 540.510 to 540.530.

The order of the Water Resources Director approving transfer application No. 3352, entered February 20, 1976, in the name of Elizabeth Bond Starker, describes a right for the use of not to exceed 0.80 cubic foot per second from North Fork Alsea River for irrigation of 3.6 acres in NE 1/4 NE 1/4, 10.4 acres in SE 1/4 NE 1/4, 5.8 acres in NE 1/4 SE 1/4 and 2.1 acres in NW 1/4 SE 1/4, Section 6, Township 14 South, Range 7 West, W.M., with a date of priority of April 13, 1970.

The authorized point of diversion is located 2440 feet South and 1310 feet West from the Northeast Corner of Section 6, being within the SW 1/4 NE 1/4 of Section 6, Township 14 South, Range 7 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion, without loss of priority, to a point located 2015 feet South and 1225 feet West from the Northeast Corner of Section 6, being within the SE 1/4 NE 1/4, Section 6, Township 14 South, Range 7 West, W.M.

Mr. Michael F. Ladd, Watermaster, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in point of diversion may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in point of diversion, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion under the subject right.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the watermaster it becomes necessary to install headgates and measuring devices:

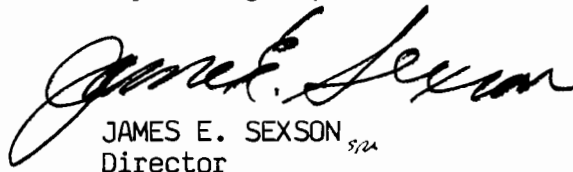
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that NO time need be fixed for completion as the change in point of diversion is completed.

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 4th day of August, 1980.

  
JAMES E. SEXSON <sup>5/24</sup>  
Director